

Application Serial No. 10/529,455
Reply to office action of November 12, 2008

PATENT
Docket: CU-4125

REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

Claims 1-12 and 14-19 are pending before this amendment. By the present amendment, claims 1 and 16 are amended. No new matter has been added.

In the office action (page 3), the examiner rejects claim 1 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,535,243 (Tullis).

The applicants respectfully disagree.

In the office action (page 5), the examiner alleges that Tullis teaches the following element of claim 1:

--wherein the controller module permits data exchange and data access from the internal memory module to the external storage equipment and from the external storage equipment to the internal memory module when the data processing system is not connected--

In support the examiner points to the "wireless communications link between a host computer and [a] camera" (Tullis abstract; col. 2, line 45). The applicants maintain that Tullis does not teach this aspect of the present invention. In fact, Tullis directly teaches away from this aspect of the present invention, because the host computer of Tullis is precisely the type of data processing system that the present invention clearly states is **not connected** during the data exchange of the present invention.

Nevertheless, so as to clarify that the data exchange between the internal memory module and the external storage equipment may be performed **without connection** (including wired connection and wireless connection) with the data processing system, claim 1 has been amended to recite:

--the controller module permits data exchange and data access between any two of the data processing system, the internal memory module, and the external storage equipment, and permits data exchange and data access from the internal memory module to the external storage equipment and from the external storage equipment to the internal memory module without the data processing system--

Support for this amendment to claim 1 is found at least in the specification page 2, line 40 to page 3, line 4; page 7, line 35 to page 8, line 2, and as such, no new matter has been added. As amended, it is clear that the data exchange between the internal memory module and the external storage equipment is performed **without wired**

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connection or wireless connection to the data processing system (emphasis added).

In contrast to the present invention, Tullis is directed to the communication between a hand-held camera and a host computer **through a wireless communication link** between them. Nowhere in Tullis teaches the built-in memory and the removable memory of Tullis can communicate with each other without the host computer. Therefore, Tullis does not teach the invention of claim 1, and an indication of allowable subject matter with respect to claim 1 is requested at least for the reasons above.

Further, the present invention relates to a data exchange and storage device. It is mainly used as a card reader and a storage device (e.g., memory disk). The applicants do not understand how it is even proper to allege that the data exchange and storage device of the present invention can be anticipated by the hand-held digital camera of Tullis.

In the office action (page 6), the examiner rejects claims 1, 4-8, 10-12 and 15-19 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,658,202 (Battaglia) In view of Tullis.

With regard to claim 1, in the office action (page 8), the examiner alleges that Battaglia teaches the limitation of "wherein the controller module permits data exchange and data access from... when the data processing system is not connected." The examiner asserts that Battaglia discloses data can be transferred/downloaded through a wide range of ports including "firewire and wireless" (Battaglia col. 3., lines 46-52). As discussed in detail above with regard to the rejection of claim 1 in view of Tullis, according to the present invention the data exchange between the internal memory module and the external storage equipment is performed **without wired connection or wireless connection** to the data processing system (emphasis added).

Battaglia does not teach or even suggest the aforesaid amended feature of claim 1, which recites, *inter alia*,

--the controller module...permits data exchange and data access from the internal memory module to the external storage equipment and from the external storage equipment to the internal memory module without the data processing system--

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As noted above, support for this amendment is found at least in the specification page 2, line 40 to page 3, line 4; page 7, line 35 to page 8, line 2.

Furthermore, as was mentioned in the applicants' previous response, although Battaglia discloses a portable data transfer and repository device comprising a mass storage device and an input port for inserting a digital camera flash memory module, **Battaglia fails to teach the bidirectional data transmission between the internal memory module and the external storage equipment**, because Battaglia only describes that the data of flash memory module can be downloaded to the mass storage device, and the data of the mass storage device can be downloaded to the user's PC (Battaglia col. 3, lines 40-46).

Accordingly, neither Battaglia nor Tullis, whether considered alone or in combination, teaches or even suggest the presently claimed invention of claim 1. As such, the applicants respectfully request an indication of allowable subject matter with regard to claim 1, at least for the reasons above

As to claim 16, the applicants have amended claim 16 as follows:

--the controller module controlling data exchange and data access between any two of the data processing system host, the internal memory module of the data exchange and storage device, and the external storage equipment, and controlling data exchange and data access from the internal memory module to the external storage equipment and from the external storage equipment to the internal memory module without the data processing system--

Support for the above amendment to claim 16 is found at least in the specification page 2, line 40 to page 3, line 4; page 7, line 35 to page 8, line 2, thus no new matter has been added.

As amended, claim 16 clarifies that the data exchange between the internal memory module and the external storage equipment –**without the data processing system**–. As discussed above, nowhere in Battaglia or Tullis, whether considered alone or in combination, teaches or even suggests the present invention of claim 16 as currently amended. As such, an indication of allowable subject matter with respect to claim 16 is respectfully requested at least for the reasons above.

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In the office action (page 16), the examiner rejects claims 2-3 under 35 U.S.C. §103(a) as being unpatentable over Battaglia, in view of Tullis and further in view of U.S. Patent No. 6,789,164 (Su). In the office action (page 17), the examiner rejects claim 9 under 35 U.S.C. §103(a) as being unpatentable over Battaglia, in view of Tullis and further in view of U.S. Patent No. 5,014,192 (Mansfield). In the office action (page 18), the examiner rejects claim 14 under 35 U.S.C. §103(a) as being unpatentable over Battaglia, in view of Tullis and further in view of U.S. Patent No. 6,208,044 (Viswanadham).

As to claims 2-12, 14-15, and 17-19, the applicants submit that these claims are allowable at least since they depend from one of claims 1 and 16, which are considered allowable for the reasons above.

For the reasons set forth above, the applicants respectfully submit that claims 1-12 and 14-19, pending in this application, are in condition for allowance over the cited references. Accordingly, the applicants respectfully request reconsideration and withdrawal of the outstanding rejections and earnestly solicit an indication of allowable subject matter.

This amendment is considered to be responsive to all points raised in the office action. Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,



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